

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	)	
	)	
v.	)	02: 03cr0174
	)	
DON RAOUL HOUGH	)	

**ORDER OF COURT**

Presently before the Court is the MOTION TO DISQUALIFY ARNOLD KLEIN;  
AND MOTION TO APPOINT COUNSEL (*Document No. 125*) filed *pro se* by Defendant Don  
Raoul Hough. For the following reasons, the Motion will be denied.

On March 3, 2005, after a four-day trial, a federal jury convicted Defendant of all  
five counts contained in the Superseding Indictment.

On July 14, 2005, the Court sentenced Mr. Hough to a term of imprisonment of 600  
months, i.e, 50 years.<sup>1</sup> On July 18, 2005, Mr. Hough filed his Notice of Appeal and his Motion  
for In Forma Pauperis was granted by the Court. Mr. Hough's appeal is currently pending  
before the Court of Appeals for the Third Circuit at Docket Nos. 05-3241 and 05-3251.

On September 6, 2005, Defendant filed the instant motion in which he requests this  
Court to disqualify his appellate counsel and to appoint new counsel. A request for counsel on  
appeal must be determined by the Court of Appeals. Accordingly, Mr. Hough's request for the  
disqualification of his appellate counsel and the appointment of new counsel must be denied as

---

<sup>1</sup> The sentence imposed was imprisonment for a term of 240 months at counts 1s, 2s  
and 4s, and a term of 120 months at count 5s, to be served concurrently. At count 3s, a term of  
imprisonment for 360 months was imposed, to run consecutive to the sentences imposed at the  
aforementioned counts for a total of 600 months, which is 50 years.

not properly before the Court. Defendant should refile his request for disqualification and new counsel with the Court of Appeals for the Third Circuit.

Based on the foregoing, all the records, files and proceedings in this matter, it is hereby **ORDERED** on this 8th day of September, 2005, that Defendant's Motion to Disqualify Arnold Klein; and Motion to Appoint Counsel is **DENIED**.

BY THE COURT:

s/Terrence F. McVerry  
United States District Court Judge

cc: Don Rauol Hough,  
#64244  
Allegheny County Jail  
950 Second Avenue  
Pittsburgh, PA 15219  
  
Arnold I. Klein, Esquire  
Bacharach & Klein  
Email: aklein@bachklein.com  
  
Soo C. Song,  
Assistant U.S. Attorney  
Email: soo.c.song@usdoj.gov